

PS-8-NHD
(Rev. 06 Sept 2024)

UNITED STATES PROBATION OFFICE
UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Violation Report on Defendant Under Pretrial Supervision – Warrant Requested

Name of Defendant: Marc Jacques

Case #: 0102 1:24CR00019

Name of Judicial Officer: Honorable Paul J. Barbadoro
U.S. District Judge

Assistant U.S. Attorney: Kasey Weiland

Date of Report: 10/17/2024

Original Charge(s): Distribution of Child Pornography

Date Supervision Commenced: 3/18/2024

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The following information is provided in accordance with 18 U.S.C. §3154(5) and 12(B). Note: This report is confidential and can only be used for making a determination of conditions of release. It is available only to the court, defense counsel, defendant, and attorney for the government. No one else is authorized to review this report.

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NON-COMPLIANCE SUMMARY

The defendant has not complied with the following condition(s) of Pretrial supervision:

Condition 8(a): The defendant shall participate in the following computer restriction or monitoring program: Refrain from the possession or use of a computer, electronic communication or data storage device or media, or any internet capable media device unless preapproved by the supervising officer and submit to the examination of any device owned or under the control of the defendant. On or about August 10, 2024, and September 16, 2024, the defendant possessed and accessed an unauthorized flash drive / data storage device.

Evidence in support of this violation includes 1) automated search reports created by the internet monitoring company; 2) the defendant's verbal admission to possession of the flash drive; and 3) the defendant's physical surrender of the flash drive / data storage device to the supervising officer.

SUMMARY OF DEFENDANT'S ADJUSTMENT TO SUPERVISION:

Following the defendant's release on pretrial supervision, he appeared to comply with his conditions, including location monitoring requirements, computer monitoring requirements, and employment. Regular inspections of his internet usage did not indicate illegal behavior, and he made himself available to the supervising officer. The defendant appeared committed to caring for his children and resolving his case.

At the sentencing hearing, the defendant advised the Court that extenuating circumstances existed for him to remain in the community. Specifically, he asked to sort his affairs before he self-surrendered to the U.S. Bureau of Prisons and the Court released him on the same conditions as previously imposed. The conditions ordered by the Court are some of the most restrictive conditions available, including location monitoring and computer/internet monitoring. Despite confirming his understanding of his conditions and the probation officer's explanation of the importance of complying with them, the defendant has violated his release conditions.

On October 16, 2024, the supervising officer reviewed reports from the internet monitoring provider. From those reports, the supervising officer determined the defendant possessed and used an unauthorized data storage device. Further review found pornographic and nonpornographic images on the data storage device. When confronted, the defendant admitted he possessed the data storage device and that it held sexually explicit images. He denied that any of the images were illegal. The supervising officer subsequently secured the data storage device.

RECOMMENDATION:

Based on the information above, the probation officer believes that the defendant presents a danger to the community. The probation officer respectfully recommends that a warrant be issued so that the defendant can be brought before the Court and be made to show cause as to why his bail should not be revoked.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted by,

/s/Matthew Farwell

Matthew Farwell

Senior U.S. Probation Officer

Date: 10/17/2024

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Reviewed & Approved by:

/s/Scott M. Davidson

Scott M. Davidson

Supervisory U.S. Probation Officer

THE COURT ORDERS

☐ No Action

☒ The Issuance of a Warrant / Matter Sealed Pending Arrest

☐ The Issuance of a Summons

☐ The Modification of Conditions as Noted Above

☐ Other _____

/s/Paul Barbadoro

Paul Barbadoro, U.S. District Judge

10/17/2024

Date